



DELAWARE HEALTH AND SOCIAL SERVICES
Division of Public Health

Delaware Division of Public Health
DECLARATION OF SHORTAGE LIFTED
Tetanus/Diphtheria (Td)

NOW COMES, the Division of Public Health, by and through Karyl T. Rattay, MD, MS, FAAP, FACPM Director, pursuant to 16 Del. C. § 510(b), who has determined that mercury-free Tetanus/Diphtheria (Td) vaccine is available for children under 8 years and pregnant women, and who sets forth this Declaration, and herein states as follows:

RECITALS

WHEREAS, pursuant to 16 Del. C. § 122 (1) the Department of Health and Social Services has "supervision of all matters relating to the preservation of the life and health of the people of the State;" and

WHEREAS, 16 Del. C. § 510 (a) restricts the administration of vaccines containing mercury to children under 8 years or pregnant women; and

WHEREAS, 16 Del. C. § 510 (b) (3) states that the prohibition against the use of vaccines containing mercury shall not apply when "the Director of the Division of Public Health or their designee determines that a shortage of the vaccine exists which could threaten the health of groups of individuals within the State including children under eight (8) years of age or pregnant women, and additional mercury-free vaccine cannot be made available from other medical providers, manufacturers, distributors, agencies, jurisdictions or by any other means."

WHEREFORE, the Director of the Division of Public Health determines that:

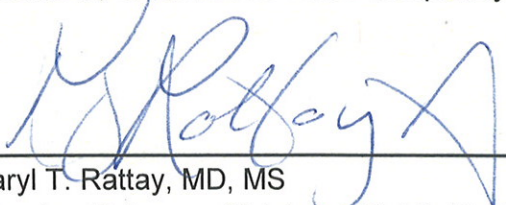
- (1) Mercury-free Tetanus/Diphtheria (Td) vaccine is now available; and
- (2) The use of mercury containing Tetanus/Diphtheria (Td) vaccine is not necessary to ensure these groups have access to vaccinations.

IN SUPPORT of this determination, the Director finds as follows;

- (1) The Tetanus/Diphtheria (Td) vaccine is administered to children 8 years of age and older and pregnant women for active immunization against tetanus and diphtheria.

- (2) Sanofi Pasteur, the manufacturer, began shipping mercury free Td vaccine in February 2012.

This determination supersedes the earlier declaration of shortage and will remain in force unless the Director determines that an FDA-approved mercury-free vaccine is, or cannot be made adequately available.



Karyl T. Rattay, MD, MS
Director, Delaware Division of Public Health



Date